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10/072,951	02/12/2002	Atsuo Nishino	Q67118	2263

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EXAMINER

SCHILLING, RICHARD L

ART UNIT	PAPER NUMBER
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1752

DATE MAILED: 10/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

6/072,957

Applicant(s)

Nishino et al

Examiner

RL Schilling

Group Art Unit

1752

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-52 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☐ Claim(s) _____ is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) 1-52 are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

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1. Restriction to one of the following inventions is required under 35 U.S.C. § 121:

I. Claims 1-13 and 15-28, drawn to method of treating aluminum plates comprising surface roughening using nitric acid and plates made therefrom, classified in Class 205, subclass 661.

II. Claims 14 and 29, drawn to photosensitive or thermosensitive elements for making printing plates, classified in Class 430, subclass 278.1.

III. Claims 30-38, drawn to method of roughening with specified AC wave form and plate made therefrom, classified in Class 205, subclass 646.

IV. Claims 39-40, drawn to photosensitive development with plate made by Group III with undercoats and matte layer coats, classified in Class 430, subclass 276.1.

V. Claims 41-48, drawn to aluminum plate, classified in Class 428, subclass 687.

VI. Claims 49-52, drawn to method of inspecting, classified in Class 29, subclass 407.5.

The inventions are distinct, each from the other because of the following reasons:

The aluminum plates made by the methods of Groups I and III need not be used to make the photosensitive or thermosensitive elements of Groups II and IV, respectively but may be used for making printing plates by the application of ink

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receptive materials using ink jets, electroless deposition for stencil coating. The aluminum plates may also be used as supports for decorative articles such as those formed by dyeing the supports. The processes of Groups I and III are directed to independent mutually exclusive processes. The processes of Group III do not require the nitric acid roughening of Group I; and the processes of Group I do not require the particular wave form required by Group III. The elements of Groups II and IV are independent elements containing different aluminum supports with the elements of Group I not requiring the underlayers and matte layers of Group IV. The aluminum plate of Group V is not required to be produced by any of the methods of Groups I or III or required to be treated in processes as set forth in Groups I and III. The processes of Groups I and III may be used on aluminum plates other than those set forth in Group V. The method of inspecting of Group VI can be used with any aluminum plate not limited to those used in Groups I-V. The inventions of Groups I-V do not require the inspection step of Group VI. The inspection step of Group VI is not limited to inspecting the plates of Group V; and the plates of Group V include plates with edge strains within certain ranges which may be measured using other inspection techniques from Group VI or be uninspected.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as

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shown by their different classifications, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

2. Any inquiry concerning this communication should be directed to Mr. Schilling at telephone number (703) 308-4403.

RLSchilling:cdc

September 30, 2003

RICHARD L. SCHILLING
PRIMARY EXAMINER
GROUP 1100-1752

